REMARKS

Applicants have carefully reviewed the Final Office Action dated January 5, 2006, and Applicants respectfully requests reconsideration of the present application in view of the following remarks.

Claims 1-4, 6, 8-13 and 16-20 are currently pending in this application, with claims 1, 10, 16, 17, 19 and 20 being independent. No new matter has been added.

I. Rejection under 35 U.S.C. §103

A. Claim 1, 3, 4, 6, 8, 9, 12, 13, 16, and 17

Claims 1, 3, 4, 6, 8, 9, 12, 13, 16 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Brown (US 5,794,219) in view of Sarno (US 6,024,641). Applicants respectfully traverse this rejection.

Claim 1 is directed to a lottery system utilizing an electronic mail, comprising: means for uniquely allocating an electronic mail address to each of participants; means for sending a first electronic mail to each of said participants, in which the electronic mail address is affixed as a unique access key to each of said participants; means for recognizing an application for a lottery from each of said participants by receiving a second electronic mail sent back to said electronic mail address; and means for notifying each one of said participants who sent back the second electronic mail to the electronic mail address of the result of said lottery.

Brown arguably discloses a method of conducting an on-line auction with bid pooling. Sarno arguably discloses a method, apparatus and system for lottery gaming.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "means for recognizing an application for a lottery from each of said participants by

receiving a second electronic mail sent back to said electronic mail address." Specifically, neither Brown nor Sarno, discloses that a second electronic mail from a participant is sent back to "said electronic mail address" uniquely allocated by "means for uniquely allocating an electronic mail address to each of participants."

In Examiner's Response to Arguments on page 9 of the Final Office Action dated January 5, 2006, the Examiner does not point out that the applied art discloses, teaches or suggests that a second electronic mail from a participant is sent back to "said electronic mail address" uniquely allocated by "means for uniquely allocating an electronic mail address to each of participants." Applicants respectfully request Office Action to pint out that these features are shown in the applied art.

The Patent and Trademark Office (PTO) has the burden of showing a *prima facie* case of obviousness. *In re Bell*, 991 F.2d 781, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993). In determining the propriety of the Patent Office case for *prima facie* obviousness, it is necessary to ascertain whether the prior art teachings would appear to be sufficient to one of ordinary skill in the art to suggest making the proposed substitution or other modification. *In re Taborsky*, 502 F.2d 775, 780-81, 183 USPQ 50, 55 (CCPA 1974). Moreover, *prima facie* obviousness of a claimed invention is established only by showing some *objective teaching* in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988).

Thus, Applicants believe that prima facie case has not been established by the Office Action. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

As to dependent claims 3, 4, 6, 8, 9, 12 and 13, it is respectfully submitted that since they depend on claim 1, they are allowable for at least the reasons that claim 1 is allowable respectively, and they are further allowable by reason of the additional limitations set forth therein.

Claim 16 is directed to a method for conducting a lottery, comprising the steps of: allocating uniquely an electronic mail address to each of participants; sending by a host a first electronic mail in which an electronic mail address is affixed as a unique access key to each one of a plurality of specified participants; recognizing said specified participants for a lottery by receiving a second electronic mail sent back to said electronic mail address from each of said participants; conducting said lottery; and notifying each one of the participants who sent back the second electronic mail of their result of said lottery.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "recognizing said specified participants for a lottery by receiving a second electronic mail sent back to said electronic mail address from each of said participants." Specifically, neither Brown nor Sarno, discloses that a second electronic mail from a participant is sent back to "said electronic mail address" uniquely allocated by "means for uniquely allocating an electronic mail address to each of participants." Thus, the applied art does not anticipate claim 1.

Similarly to the arguments about claim 1, in the Examiner's response of the Final Office Action does not point out that the applied art discloses, teaches or suggests that "recognizing said specified participants for a lottery by receiving a second electronic mail sent back to said electronic mail address from each of said participants." Applicants respectfully request Office Action to pint out that these features are shown in the applied art.

Thus, Applicants believe that prima facie case has not been established by the Office Action. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

Claim 17 is directed to a lottery system utilizing an electronic mail, comprising: means for uniquely allocating a URL to each of participants; means for sending an electronic mail in which the URL is affixed as a unique access key to each of the participants; means for recognizing an application from each of the participants when the participant accesses a page of the URL and enters the electronic mail address of the participant; and means for notifying each of said participants of the result of said lottery.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "means for uniquely allocating a URL to each of participants." Specifically, neither Brown nor Sarno, discloses that a URL is not uniquely allocated to each of participants. Thus, withdrawal of the rejection and allowance of the claim is respectfully requested.

Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

B. Claim 2

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Brown (US 5,794,219) in view of Sarno (US 6,024,641) and further in view of Petrecca (US 6,409,593). Applicants respectfully traverse this rejection.

Brown arguably discloses a method of conducting an on-line auction with bid pooling. Sarno arguably discloses a method, apparatus and system for lottery gaming. Petrecca arguably discloses a drawing for winners over the internet.

However, it is respectfully submitted that since claim 2 depends on claim 1, it is allowable for at least the reasons that claim 1 is allowable, and it is further allowable by reason of the additional limitations set forth therein.

C. Claims 10, 11, and 18

Claims 10, 11 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Brown (US 5,794,219) in view of Sarno (US 6,024,641) and further in view of Kamasaka et al. (US 6,240,455). Applicants respectfully traverse this rejection.

Brown arguably discloses a method of conducting an on-line auction with bid pooling. Sarno arguably discloses a method, apparatus and system for lottery gaming. Petrecca arguably discloses a drawing for winners over the internet.

Claim 10 is directed to a lottery system utilizing an electronic mail, comprising: means for uniquely allocating a keyword to be entered in a page of a URL, to each of

participants; means for sending an electronic mail in which the keyword is affixed as a unique access key, to each of the participants; means for recognizing an application from each of said participants when said participant accesses the page of said URL and enters the keyword; and means for notifying each of said participants of the result of the lottery.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "means for recognizing an application from each of said participants when said participant accesses the page of said URL and enters the keyword."

Also, it is respectfully submitted that since claims 11 and 18 depend on claim 10, they are allowable for at least the reasons that claim 10 is allowable, and they are further allowable by reason of the additional limitations set forth therein.

Accordingly, withdrawal of the rejection and allowance of the claim 10, 11, and 18 is respectfully requested.

II. Newly Added Claim

By the foregoing amendment, Applicants have added claims 19 and 20 in order to claim various features of the invention. None of the applied art, alone or in combination, discloses, teaches or suggests the features of "receiving a second electronic mail sent from each one of the specified participants to the uniquely allocated at least one electronic mail address, so as to recognize the participants." Therefore, allowance of these claims is respectfully requested.

III. Conclusion

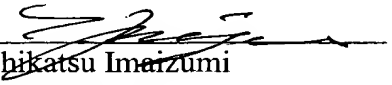
In view of the above amendment, Applicants believe the pending application is in condition for allowance.

The undersigned has been given limited recognition by the Director to prosecute as an attorney this application under 37 C.F.R. §10.9(a).

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. KAK-0001 from which the undersigned is authorized to draw.

Dated: April 4, 2006

Respectfully submitted,

By 

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